

**LEGISLATIVE SERVICES AGENCY  
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

301 State House  
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**FISCAL IMPACT STATEMENT**

**LS 7627**

**BILL NUMBER:** HB 1313

**DATE PREPARED:** Apr 7, 1999

**BILL AMENDED:** Apr 6, 1999

**SUBJECT:** Election matters.

**FISCAL ANALYST:** Beverly Holloway

**PHONE NUMBER:** 232-9851

**FUNDS AFFECTED:** X **GENERAL**  
**DEDICATED**  
**FEDERAL**

**IMPACT:** State & Local

**Summary of Legislation:** (Amended) This bill provides that a candidate may use only the candidate's legal name, initials of the candidate's legal name, a nickname, and certain other designations on the ballot. It defines a candidate's legal name for purposes of placement of the name on the ballot. It requires a candidate's voter registration record to use the same name that the candidate uses on the ballot. (Under current law, a candidate's name appears on the ballot as the candidate's name appears on the candidate's voter registration record.)

This bill provides that a voter in the election district of a candidate that does not use the candidate's legal name on the ballot may file a challenge with the Indiana Election Commission or a county election board. It provides that if the commission or board finds that a candidate has not used the candidate's legal name on the ballot the candidate is considered to have withdrawn the candidate's candidacy. It also makes technical changes in the statutes to conform to the ballot name rule.

This bill makes technical changes in the statutes to conform to the ballot name rule.

Election materials are made available to the public following an election after expiration of the recount filing period. A circuit court clerk is required to keep confidential that portion of election material necessary to protect the secrecy of a voter's ballot.

This bill clarifies when a primary must be conducted in a city or town when the only contested nomination is within a legislative body district with an election district that does not include the entire city or town. It sets a deadline for certain third party candidates nominated at conventions to withdraw their nominations.

A voter who changes residence from outside a municipality to a location within a municipality is prohibited from returning to the precinct where the voter formerly resided to vote in a municipal election or special election held only within the municipality.

This bill repeals current statutes that cross reference those provisions in the Indiana Constitution that, prior to their repeal, required the Secretary of State, Auditor of State, and Treasurer of State to reside at the seat of government.

**Effective Date:** (Amended) November 3, 1998 (retroactive); Upon passage; July 1, 1999; January 1, 2000.

**Explanation of State Expenditures:** (Revised) This bill specifies that individuals may appeal to the Indiana Election Commission if a candidate uses a name that is not permitted under the provisions of this bill. Implementation of this provision will have a minimal fiscal impact on the Election Commission which would hear challenges regarding candidates' name filing.

The remaining provisions of this bill have no fiscal impact.

**Explanation of State Revenues:**

**Explanation of Local Expenditures:** (Revised) The implementation of this bill should have a minimal or no fiscal impact on county election boards and county voter registration offices.

**Explanation of Local Revenues:**

**State Agencies Affected:** Indiana Election Commission.

**Local Agencies Affected:** County election boards and voter registration offices; Clerk of the Circuit Court.

**Information Sources:**